

UNITED STATES BANKRUPTCY COURT
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo
Cn 4853
Trenton, NJ 08650
(609) 587-6888

In re:

Carmelo F Tortorici
Mary A Saint-Pierre

Debtor(s)



Order Filed on November 14, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-10046 / KCF

Hearing Date: 11/08/2017

Judge: Kathryn C. Ferguson

Chapter: 13

ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: November 14, 2017

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 01/17/2017, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$1,112.00 PAID TO DATE

\$346.00 for 50 months beginning 12/01/2017

ORDERED that the case is confirmed to pay 0% dividend to general unsecured creditors.

ORDERED that the Standing Trustee shall be authorized to submit, ex parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the debtor(s) must obtain a loan modification by January 31, 2018 or as extended by Loss Mitigation Order.

- Creditor CIT Bank FKA Onewest Bank, PACER claim #3-1, will be paid outside of the Chapter 13 Plan.

Order to be submitted resolving CIT Bank FKA Onewest Bank Objection to Confirmation by December 15, 2027.

CIT Bank FKA Onewest Bank shall be granted limited stay relief and there will be no Sheriff sale before January 31, 2018.

The claim of Capital One Auto Finance, court claim #1-1, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

The claim of Internal Revenue Service, court claim #4-3, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

The claim of New Jersey Division of Taxation, court claim #7-4, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Carmelo F Tortorici
Mary A Saint-Pierre
Debtors

Case No. 17-10046-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Nov 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 16, 2017.

db #+Carmelo F Tortorici, 21 Cottonwood Drive, Jackson, NJ 08527-4940
jdb +Mary A Saint-Pierre, 21 Cottonwood Drive, Jackson, NJ 08527-4940

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 16, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 14, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor JPMORGAN CHASE BANK, N.A. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Denise E. Carlon on behalf of Creditor CIT Bank, N.A., fka One West Bank, N.A., fka One West Bank, FSB dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance jschwartz@mesterschwartz.com
Jonathan B. Peitz on behalf of Creditor New Jersey Division of Taxation Jonathan.Peitz@dol.lps.state.nj.us
Laura M. Egerman on behalf of Creditor CIT Bank, N.A., fka One West Bank, N.A., fka One West Bank, FSB bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
Laura M. Egerman on behalf of Creditor CIT Bank, N.A. bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William H. Oliver, Jr. on behalf of Debtor Carmelo F Tortorici bkwliver@aol.com, r59915@notify.bestcase.com
William H. Oliver, Jr. on behalf of Joint Debtor Mary A Saint-Pierre bkwliver@aol.com, r59915@notify.bestcase.com

TOTAL: 10